

**THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI**

**IN THE MATTER OF A CRIMINAL  
COMPLAINT OF  
BRANDON LANE MCCULLOUGH**

**Case No. 20-mj-2030DPR**

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Jeremy Bluto, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with Immigration and Customs Enforcement (ICE)/Homeland Security Investigations (HSI), Kansas City, Missouri, Principle Field Office, and have been so employed since April 25, 2010. I am currently assigned as a criminal investigator for HSI. Prior to my current position, I was employed with U.S. Customs and Border Protection, Office of Border Patrol, as a Border Patrol Agent and a Supervisory Border Patrol agent for five years, and a Deputy Sheriff with the Taney County, Missouri, Sheriff's Department for three years. Prior to my employment in Missouri, I attended California State University, Fullerton, and received a bachelor's degree in Criminal Justice.
2. As part of this affiant's duties with HSI/ICE, this affiant investigates federal criminal violations including violations relating to child exploitation, child pornography, and coercion and enticement, in violation of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422.
3. The statements in this affidavit are based on personal observations, my training and experience, investigation of this matter, and information obtained from other agents and witnesses. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, this affiant has not included each and every fact known to me concerning this investigation. The affiant has set forth the facts necessary to establish probable cause to believe that Brandon Lane McCullough has violated 18 U.S.C. § 2251(a), that is, sexual exploitation of a child.

### **STATUTORY AUTHORITY**

4. 18 U.S.C. § 2251(a) prohibits a person from employing, using, persuading, inducing, enticing, or coercing a minor to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, or an attempt to do so, if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce, or if such visual depiction actually was transported in or affecting interstate commerce.

### **PROBABLE CAUSE**

5. On February 20, 2020, this affiant began an investigation based upon a lead received from the HSI Cyber Crimes Center (C3), Child Exploitation Investigations Unit (CEIU). This lead was created by CEIU based upon information from Kik. Kik reported that a user, username “brianmagee8809,” was involved in chat in which suspected images of child pornography or erotica were uploaded. Kik provided a portion of a chat log, between user “brianmagee8809” and an undisclosed user (hereinafter “User X”), and images uploaded during the chat on May 27, 2019. During the conversation, User X reported that she was a 12-year-old female. User X also uploaded two image files during the conversations. Kik sent the images, which they had already viewed, with the lead. This affiant reviewed the images, which both depicted a close-up of the exposed left breast of a female. No other parts of the body, including the face, were included in the image. Based upon what was visible in the two images, this affiant was unable to confirm the images to be of a minor less than 18 years of age. After User X uploaded these images, the “brianmagee8809” user stated, “I’m posting your pics.” That concluded the portion of the chat log sent by Kik.
6. On February 14, 2020, this affiant spoke with Florham Park Borough, New Jersey, Police Department (FPPD) Detective Sergeant Michael Neilan. Detective Neilan stated he was

investigating a case where the suspect may reside in the Southwest Missouri area. Detective Neilan explained that a 14-year-old minor female (hereinafter “Jane Doe”) who resided in New Jersey had engaged in a series of conversations on Kik with an individual who went by username “brianmagee8809.” Based upon their investigation, the IP address for “brianmagee8809” resolved back to a residence in Branson, Missouri.

7. FPPD forwarded a copy of their report to this affiant. According to the report, on May 28, 2019, FPPD Detective Geoffrey Rothrock and Detective Sergeant Brian Ford made contact with Jane Doe’s mother. Jane Doe’s mother reported that Jane Doe had been using Kik to have sexually explicit conversations, and to send sexually explicit images, to another Kik user with username “brianmagee8809.” The “brianmagee8809” user threatened to send the sexually explicit images and videos of Jane Doe to her family and friends. Jane Doe’s mother signed a consent to seize and search Jane Doe’s cellular phone, an Apple iPhone.
8. The Morris County Prosecutors Office (MCPO) High-tech Crimes Unit completed a download of Jane Doe’s cellular phone. Kik conversations between Jane Doe and “brianmagee8809” were located within the Kik application. The first conversation, or chat, was initiated on May 25, 2019. The “brianmagee8809” user compliments Jane Doe on her appearance and asks her age, which Jane Doe responds that she is 14 years old. The “brianmagee8809” user tells Jane Doe that he is 15 years old male. The “brianmagee8809” user then asks Jane Doe where she lives, her dating history, if Jane Doe is a virgin, what sex acts Jane Doe has performed before, and for images of Jane Doe’s “booty.” Jane Doe tells him that she does not send nude images to strangers, and “brianmagee8809” then sends an image of a nude male with his penis exposed. Jane Doe asks the “brianmagee8809” user if she can send one later and if he has “snap or smith.” The “brianmagee8809” user responds that his Snapchat username is “Tyler\_smith1785.” The

“brianmagee8809” user sends Jane Doe a video of herself, one that Jane Doe had sent to another Kik user, and threatens to post it if she does not send him images and videos. Jane Doe then sends images and videos of herself engaged in sexually explicit conduct. The “brianmagee8809” user becomes aggressive demanding more images and videos. Jane Doe continues to send images and videos that depict her nude breast, bottom, and vagina, as well as images and videos of Jane Doe engaged in sexual acts, for example, one depicted her inserting a hairbrush into her vagina. The “brianmagee8809” user makes statements such as, “I want to cum now,” “Like sit up and spread them apart,” “show me how you sucked his dick,” “Now ride that brush,” “if u just fuck it, I need to still see ur facial expressions and moaning,” and “Find something a little bigger to use.” Jane Doe repeatedly pleads with “brianmagee8809” to stop, telling him, “can you please j leave me alone now,” “what happened to leaving me alone after I send an ass pic,” “you’re an awful person,” “can you j stop,” and “I like don’t wanna do that.” The “brianmagee8809” user continues and tells Jane Doe, “Alright well I guess I’ll just post everything rn then.” Jane Doe begs him to reconsider and he tells her they will talk later.

9. On the next day, May 26, 2019, the “brianmagee8809” user continues to coerce Jane Doe and demands more images and videos of her engaged in sexual acts with other people. Jane Doe finally tells “brianmagee8809” that she is considering killing herself because she feels trapped and she does not know what else she can do, to which he responds, “That’s ur choice.” Jane Doe tells “brianmagee8809” that she took half a bottle of her mother’s pills.
10. Law enforcement also located another Kik conversation that occurred between Jane Doe and an individual using username “t. Hollins Tyler Hollins,” who identified himself as a 17-year-old male. The “t. Hollins Tyler Hollins” user initiated the conversation with Jane Doe on May 25, 2019, at the same time as the one with “brianmagee8809” was occurring. During the conversation with “t.

Hollins Tyler Hollins,” Jane Doe tells “t. Hollins Tyler Hollins” that another user is blackmailing her, and “t. Hollins Tyler Hollins” tells Jane Doe to do whatever the user says as long as he deletes everything. Jane Doe increasingly becomes desperate and on May 26, 2019, tells “t. Hollins Tyler Hollins,” “its either him exposing me or me killing myself and not having to deal with it I like don’t have any other option.” After that, “t. Hollins Tyler Hollins” encourages Jane Doe to continuing meeting the other Kik user’s demands, and Jane Doe accuses him of being the same person.

11. The MCPO sent investigative subpoenas to Kik, Snapchat, and Google for subscriber information. Through the course of the investigation, law enforcement determined that the “brianmagee8809” user and the “Tyler\_smith1785” user were utilizing the same IP address during the conversation with Jane Doe which was registered to Leslie McCullough at a residence in Branson, Missouri.
12. The Kik lead received by this affiant also indicated that the “brianmagee8809” user’s IP address on May 27, 2019, while chatting with User X was the same as when he was communicating with Jane Doe. Through the course of the investigation, this affiant discovered the subscriber for the IP address for the time-frame the user was communicating with User X was also Leslie R. McCullough with the same address in Branson, Missouri.
13. This affiant conducted a records search that showed that the residence in Branson, Missouri belonged to Brandon L. and Leslie R. McCullough since May 31, 2018.
14. On April 30, 2020, this affiant applied for and received a search warrant for the McCullough residence in Branson, Missouri, from Chief United States Magistrate Judge David P. Rush, Western District of Missouri. On May 7, 2020, this affiant, as well as other members of HSI and the Southwest Missouri Cyber Crimes Task Force (SMCCTF) executed the search warrant. Upon arrival this affiant made contact with Leslie McCullough and informed her that they were there to

execute a federal search warrant. She informed this affiant that her husband, Brandon McCullough (hereinafter “McCullough”) and her two children were inside the residence. This affiant and HSI TFO Brian Martin made contact McCullough and asked him if he would be willing to step outside and speak with them, and McCullough agreed that he would. This affiant and TFO Martin conducted a recorded, post-*Miranda* interview with McCullough in this affiant’s vehicle. While McCullough was interviewed, other law enforcement search the residence.

15. At the beginning of the interview, McCullough provided his background information and stated he was a high-school business teacher at Cassville High School. McCullough at first denied any conduct relating to the investigation. This affiant exited the vehicle to see what devices had been located inside the residence. After this affiant exited the vehicle, TFO Martin confronted McCullough with what had occurred with Jane Doe and that she had attempted suicide. At that point McCullough stated, “it’s me, I did it.” TFO Martin asked him if he was just saying that and McCullough replied, “no, it’s me I did it.”
16. This agent was informed that a Seagate Slim Portable 500GB external hard drive had been located concealed under a basket, which was under a sink in a bathroom on the basement floor of the residence. HSI TFO Larry Roller and TFO James Smith had begun a forensic preview on the external hard drive and located dozens of Kik folders, which within each folder were Kik chats and image and video files received through Kik. The image and video files depicted child pornography, that is, minor females less than 18 years of age engaged in sexually explicit conduct. The image and videos were consistent with self-produced images and videos by the minor females.
17. This affiant reentered the vehicle and confronted McCullough with the hidden external hard drive and the Kik folders. McCullough admitted the hard drive was his. McCullough further stated in May 2019 he was using a cellular phone, a Galaxy S5, to access the Kik application. McCullough

claimed he destroyed the cellular phone because he was attempting to stop his behavior and it was too much of a temptation. McCullough stated he had used many Kik user names, but could not recall them all and it was possible he had used the "brianmagee8809" user name. McCullough stated the numbers "8809" were significant because that is the date of his wedding anniversary. McCullough stated he began using Kik to engage in sexual chats in 2014 when he and his wife had separated. The chats eventually progressed to sexual chats with minors. McCullough could not recall how many minors he had chatted with and how often he had done it because he was engaging in the conduct so frequently.


18. This affiant confirmed that Kik utilizes the Internet to function, and the Seagate external hard drive and Galaxy S5 cellular phone were manufactured outside the state of Missouri and would have had to cross state lines to enter.

### CONCLUSION

19. Based on the above facts, this affiant believes there is probable cause in support of a criminal complaint against Brandon Lane McCullough for violation of 18 U.S.C. § 2251(a), that is, sexual exploitation of a minor.

  
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Jeremy Bluto  
Special Agent  
Homeland Security Investigations

Sworn to and subscribed to before me in my presence via telephone on this 7th day of May 2020.

  
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The Honorable David P. Rush  
Chief United States Magistrate Judge  
Western District of Missouri